

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JUSTIN JAMES HINZO,

Plaintiff,

v.

CIV 10-0506 JB/CG

STATE OF NEW MEXICO
DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

ORDER

THIS MATTER comes before the Court on Plaintiff's *Motion by Plaintiff Advising the Court that Plaintiff Isn't Being Served*. (Doc. 55). Plaintiff states that he has not received copies of two recent docket entries: 1) this Court's Order granting Defendants' motion to extend the time to file their *Martinez* report, (Doc. 52), and 2) a stamped copy of his own response objecting to Defendants' motion for an extension, (Doc. 53). Plaintiff is concerned that his legal mail is being deliberately withheld from him. (Doc. 55 at 1-2).

The Court has verified that both Documents 52 and 53 were mailed to Plaintiff at his current address. It is unclear why Plaintiff did not receive those two documents. However, the fact that Plaintiff did receive a copy of Defendant Wexford's reply to Plaintiff's response in opposition to the requested extension of time, (Doc. 54), suggests that Plaintiff's legal mail is not being deliberately tampered with.

IT IS THEREFORE ORDERED that the Clerk of the Court mail a second copy of this

Court's order granting Defendants' motion for an extensions of time, (Doc. 52), as well as an appropriately stamped copy of Plaintiff's response objecting to Defendants' motion for an extension of time, (Doc. 53).

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal line extending to the right.

THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE